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sible by establishing effective responsibility and cultivating efficiency and constructive civic statesmanship.

"*Sixth*.—Take a wide look around and a long look ahead, link up the problem of municipal franchises with the national conservation movement and kindle a fire under every sleepy citizen till even the street gamins, the club women and the great merchants on Broadway know what a franchise signifies."

L. S. ROWE.

University of Pennsylvania.

Willoughby, W. W. *The Constitutional Law of the United States.* Two vols. Pp. cxv, 1390. New York: Baker, Voorhees & Co., 1910.

Unlike the majority of writers on our constitution, Mr. Willoughby does not follow the order of its text in his arrangement of material. Unlike too many also he does not shirk the consideration of "controverted questions." These characteristics impress the reader throughout the two comprehensive volumes which comprise the work. Both indicate vigor of thought and the belief that the constitution though "rigid" must grow with the development of our social and economic life. The subject matter is discussed not historically but organically. Those parts of the constitution which by nature belong together are discussed together. Due process for example is not parcelled between the discussion on obligation of contracts and the fifth and fourteenth amendments. Especially the parts of the constitution undergoing contemporary interpretations, the commerce clause, division of powers, the power to acquire territory and the relation of the constitution to acquired territory are investigated. Such a treatment makes these volumes interesting not only to the practicing lawyer but of unusual importance for those who are interested in constitutional law as an outgrowth of our national life. So far as possible the interpretation which the courts have given to the various clauses of the constitution is given in the words of the court.

Volume I opens with a discussion of the principles of constitutional construction, the division of sovereignty between the states and the federal government, and the maintenance of the supremacy of the federal government within the sphere assigned to it by the constitution. The veiled supervision of even internal state activities allowed by the supreme court's interpretation of the fourteenth amendment is followed by the discussion of the relations of the states to each other, to citizens of other states and to American citizens in general. Next is considered the power of the government over territory not states and individuals who are subjects but not citizens. The discussion of the territorial governments is broadened beyond a treatment of their purely legal status to include a review and estimate of our historical policy in handling new territory. This serves as a logical introduction to the consideration of the status of the island possessions and the perplexing declarations of the supreme court as to the state of their inhabitants. An interesting chapter deals with what the author calls "presidential governments" which refers here not to the form of organization but to the source of authority—govern-

ments formed in territories under command of the president before congressional action has been taken.

International relations and the treaty making power are reviewed with special consideration of the limits of the latter. The author is inclined to give a wide extent to the treaty power—he believes that the supreme court will finally come to the frank avowal that the reserved rights of the states may be overridden by treaty, though he says that this does not mean that there cannot be a treaty which the courts would declare unconstitutional. In handling such questions the courts will act *bona fide* and not allow a treaty to change the fundamental character of the government. The volume closes with a discussion of elections, legislative procedure and taxation.

The chief subjects of the second volume are interstate commerce and the prohibitions which the constitution places upon Congress and the states. The review of the development of our present definition of commerce, and the decisions in the lottery, liquor and oleomargarine cases have largely become a matter of history but the chapter on federal control deals with material of comparatively recent date in which the final holdings of the court are still in doubt on many points.

The history of federal legislation on commerce is traced through the acts of 1908 and the decisions from the Knight case through the various modifications introduced by the courts culminating in the Danbury Hatters' case are reviewed. An independent discussion of the relations of trade unions to interstate commerce and the power of Congress to charter corporations to engage in interstate and intra-state commerce gives some interesting points of view as to the extent and nature of the federal power.

The latter half of Volume II is devoted to an exposition of some of the less evident but to the constitutional lawyer often highly important features of our constitutional law. The position of the judiciary as to political questions, interstate suits, suits against states, admiralty and maritime jurisdiction, appointment and removal of officers, military and martial law, the conclusiveness of administrative determinations, are titles which will serve to indicate the character of the questions which though technical are often of supreme importance in determining rights to which they seem at first to have but remote relation.

A brief review can only point out a few of the salient points of such a comprehensive work as this. In its scholarly and judicial treatment of our constitution it is not equalled by any recent treatise. It combines the exactness demanded of our best legal works with an appreciation of the larger application of our constitution as a mode of life as well as a rule of law. There are select tables of cases and a comprehensive index.

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Woodruff, Clinton Rogers. (Ed.). *City Government by Commission*. Pp. xii, 381. Price, \$1.50. New York: D. Appleton & Co., 1911.

The publication committee of the National Municipal League, composed of